

Serial: 238235

IN THE SUPREME COURT OF MISSISSIPPI

No. 89-R-99001-SCT

**FILED**

SEP 07 2021

OFFICE OF THE CLERK  
SUPREME COURT  
COURT OF APPEALS

***IN RE: THE RULES OF CIVIL  
PROCEDURE***

**EN BANC ORDER**

Before the Court is the Motion to Amend M.R.C.P. 30 (Motion No. 2019-3482) filed by the Supreme Court of Mississippi's Advisory Committee on Rules.

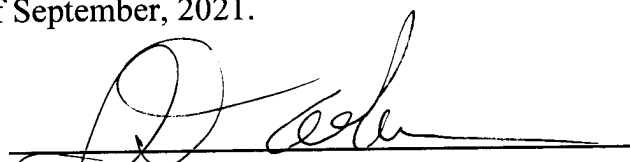
The Committee moves to amend Rule 30 of the Mississippi Rules of Civil Procedure. Stephen W. Burrow filed a comment.

After due consideration, we find that the motion should be granted.

IT IS THEREFORE ORDERED that the Motion to Amend M.R.C.P. 30 is granted as set forth in the attached Exhibit A. The amendments will be effective 30 days after entry of this order.

IT IS FURTHER ORDERED that the Clerk of this Court must spread this order upon the minutes of the Court and send a certified copy to West Publishing Company for publication in the advance sheets of *Southern Reporter, Third Series (Mississippi Edition)*, and in the next edition of the *Mississippi Rules of Court*.

SO ORDERED, this the 7<sup>th</sup> day of September, 2021.

  
JOSIAH DENNIS COLEMAN, JUSTICE  
FOR THE COURT

ALL JUSTICES AGREE.

EXHIBIT A

**RULE 30. DEPOSITIONS UPON ORAL EXAMINATION**

**(c) Examination and Cross-Examination; Record of Examination; Objections.**

Examination and cross-examination of witnesses may proceed as permitted at the trial. The testimony of the witness shall be recorded either stenographically or as provided in subsection (b)(4) of this rule. If requested by one of the parties, the testimony shall be transcribed upon the payment of the reasonable charges therefor. All objections made at the time of the examination to the qualifications of the person taking the deposition, or to the manner of taking it, or to the evidence presented, or to the conduct of any party, and any other objection to the proceedings, shall be noted upon the transcription or recording. Evidence objected to shall be taken subject to the objections. An objection must be stated concisely and in a nonargumentative and nonsuggestive manner. A person may instruct a deponent not to answer only when necessary to preserve a privilege, to enforce a limitation ordered by the court, or to present a motion to limit or terminate the deposition under M.R.C.P. 30(d). In lieu of participating in the oral examination, parties may serve written questions on the party taking the deposition, who shall propound them to the witness and see that the answers thereto are recorded verbatim.

[Amended effective March 1, 1989; July 1, 1997; \_\_\_\_\_.]

**Advisory Committee Historical Note**

Effective \_\_\_\_\_, M.R.C.P. 30(c) was amended to require that objections be stated concisely and non-argumentatively and to specify the limited instances in which a deponent may be instructed not to answer a question.

[Amended effective July 1, 1997; \_\_\_\_\_.]